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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-234

13 SUE SOOKJA KIM,
14 a.k.a. SUE KIM
12933 Droxford Street
Cerritos, CA 90701

A C C U S A T I O N

15 Registered Nurse License No. 493968

Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
21 ("Board"), Department of Consumer Affairs.

22 2. On or about August 31, 1993, the Board issued Registered Nurse License
23 Number 493968 to Sue Sookja Kim, also known as Sue Kim ("Respondent"). Respondent's
24 registered nurse license was in full force and effect at all times relevant to the charges brought
25 herein and will expire on July 31, 2009, unless renewed.

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1 **COST RECOVERY**

2 8. Code section 125.3 provides, in pertinent part, that the Board may request
3 the administrative law judge to direct a licensee found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
5 and enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Gross Negligence)**

8 9. At all times herein mentioned, Respondent was employed as a supervising
9 registered nurse at Wilshire Cosmetic Clinic ("WCC") in Los Angeles, California.

10 10. On Saturday, April 26, 2003, patient L.S. was seen at WCC by Respondent
11 for a scheduled laser hair removal appointment. Respondent evaluated patient L.S. and
12 determined that her skin type was a "V" (Moderately Pigmented, Always Tans) on the skin type
13 classification scale found in the User's Protocol for the SpaTouch IPL equipment she would be
14 using. There was no power level indicated in the User's Protocol for skin type "V," as
15 recommended use of Spa Touch IPL is limited to skin types "I" through "IV." Respondent
16 determined, based upon her training and experience, that 35 joules¹ would be appropriate to treat
17 L.S. As Respondent performed the laser treatment to L.S.'s face and neck, L.S. complained of a
18 burning and stinging sensation. Respondent reassured L.S. that this was a normal feeling with
19 laser hair removal. When Respondent finished the laser treatment, L.S. noted her face and neck
20 were extremely red. Respondent assured L.S. that discoloration and discomfort were normal and
21 would subside.

22 11. On April 27, 2003, L.S. followed-up with Dr. W.Z. of WCC for
23 complaints of irritation, blistering, and darkening of the laser treated skin. Dr. W.Z. told L.S.
24 that these were normal reactions, that she was healing, and that she would have new skin in two
25 to three months.

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28 1. Joules = The amount of laser beam energy.

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2 12. On May 3, 2003, L.S. sought treatment in the emergency room at Daniel
3 Freeman Memorial Hospital. At that time L.S. was told that she had suffered from second degree
4 burns to her face and neck as a result of the laser treatment and that she appeared to have an
5 infection.

6 13. L.S. subsequently required additional medical care to minimize scarring
7 and discoloration (hyper pigmentation) of her face and neck where the laser was applied.

8 14. Respondent is subject to disciplinary action pursuant to Code section
9 2761, subdivision (a)(1), on the grounds of unprofessional conduct, in that on or about April 26,
10 2003, while on duty as a registered nurse at WCC, Respondent was guilty of gross negligence
11 within the meaning of Regulation 1442, as follows:

12 a. Respondent failed to safely operate the SpaTouch IPL equipment during
13 her treatment of L.S.

14 b. Respondent failed to operate the SpaTouch IPL equipment in a manner
15 recommended by the manufacturer during her treatment of L.S.

16 c. Respondent failed to fully inform L.S. of the potential risks and
17 complications of the SpaTouch IPL treatment.

18 d. Respondent failed to provide L.S. with a written consent form for the
19 SpaTouch IPL treatment.

20 e. Respondent failed to obtain a specific medical order for L.S.'s laser
21 SpaTouch IPL hair removal procedure.

22 f. Respondent provided SpaTouch IPL laser hair removal treatment to L.S.
23 when she was not authorized by approved standardized procedures to provide said treatment.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Incompetence)**

26 13. Complainant incorporates by reference as though fully set forth herein the
27 allegations contained in paragraphs 9 through 13 above.

28 14. Respondent is subject to disciplinary action pursuant to Code section

1 2761, subdivision (a)(1), on the grounds of unprofessional conduct. On or about April 26, 2003,
2 while on duty as a registered nurse at WCC, Respondent was guilty of incompetence, within the
3 meaning of Regulation 1443, as follows:

4 a. Respondent failed to safely operate the SpaTouch IPL equipment during
5 her treatment of L.S.

6 b. Respondent failed to operate the SpaTouch IPL equipment in a manner
7 recommended by the manufacturer during her treatment of L.S.

8 c. Respondent failed to fully inform L.S. of the potential risks and
9 complications of the SpaTouch IPL treatment.

10 d. Respondent failed to provide L.S. with a written consent form for the
11 SpaTouch IPL treatment.

12 e. Respondent failed to obtain a specific medical order for L.S.'s laser
13 SpaTouch IPL hair removal procedure.

14 f. Respondent provided SpaTouch IPL laser hair removal treatment to L.S.
15 when she was not authorized by approved standardized procedures to provide said treatment.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Unprofessional Conduct)**

18 15. Respondent is subject to disciplinary action pursuant to Code section
19 2761, subdivision (a), in that on or about April 26, 2003, while on duty as a registered nurse at
20 WCC, Respondent committed acts constituting unprofessional conduct, as set forth in paragraph
21 13 and 15 above.

22 **PRAYER**

23 WHEREFORE, Complainant requests that a hearing be held on the matters herein
24 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

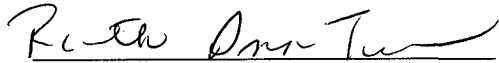
25 1. Revoking or suspending Registered Nurse License Number 493968, issued
26 to Sue Sookja Kim, also known as Sue Kim;

27 2. Ordering Sue Sookja Kim, also known as Sue Kim, to pay the Board of
28 Registered Nursing the reasonable costs of the investigation and enforcement of this case,

1 pursuant to Business and Professions Code section 125.3; and

2 3. Taking such other and further action as deemed necessary and proper.

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4 DATED: 4/7/09

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6 
7 RUTH ANN TERRY, M.P.H., R.N.
8 Executive Officer
9 Board of Registered Nursing
10 Department of Consumer Affairs
11 State of California
12 Complainant
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